

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION

JASON L. B.,

Plaintiff,

v.

CAROLYN W. COLVIN Acting  
Commissioner of the Social Security  
Administration<sup>1</sup>,

Defendant.

No. 2:23-cv-00561-JPH-MJD

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Magistrate Judge Mark J. Dinsmore has entered a Report and Recommendation recommending that the Court reverse the Commissioner's decision denying supplemental security income. Dkt. 17. The parties have had the opportunity to object but have not done so. *See* Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1). The Court has considered and now **ADOPTS** the Report and Recommendation. Dkt. [17]. The Commissioner's decision is **REVERSED AND REMANDED**. On remand, the ALJ shall reevaluate her assessment of Dr. Marlow's opinion and her mental RFC determination. The ALJ shall also reassess her subjective symptoms evaluation with regard to Claimant's mental impairments. Final judgment will issue by separate entry.

**SO ORDERED.**

Date: 12/19/2024



James Patrick Hanlon  
United States District Judge  
Southern District of Indiana

---

<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of the Social Security Administration on November 30, 2024. Under Federal Rule of Civil Procedure 25(d), Carolyn Colvin is substituted for Martin O'Malley as the defendant in this suit.

Distribution:

All electronically registered counsel